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18 FACEBOOK, INC.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FACEBOOK, INC., a Delaware
corporation,

Plaintiff,

v.

JEREMI FISHER; PHILIP POREMBSKI;
RYAN SHIMEALL; and JOHN DOES 1-
25, individuals; and CHOKO SYSTEMS
LLC; HARM, INC.; PP WEB SERVICES
LLC, iMEDIA ONLINE SERVICES LLC,
and JOHN DOES 26-50, corporations,

Defendants.

Case No. C 09-05842 JF

**STIPULATED ORDER AND PERMANENT
INJUNCTION**

WHERAS Facebook commenced this action seeking, among other things, a permanent injunction enjoining Defendants Jeremi Fisher, Philip Porembski, Ryan Shimeall, Choko Systems

1 LLC, Harm, Inc., PPWeb Services LLC, and iMedia Online Services LLC (collectively
 2 "Defendants") and their officers, agents, servants, and employees, and those persons acting in
 3 concert or participation with them from engaging in an unlawful spam campaign against
 4 Facebook users, unauthorized access to Facebook's network and Facebook user profiles, and
 5 from otherwise breaching Facebook's Statement of Rights and Responsibilities;

6 **WHEREAS** Defendants Ryan Shimeall and iMedia Online Services LLC and Facebook
 7 consent to the entry of a permanent injunction, the terms of which are set forth below:

8 1. Defendants Ryan Shimeall and iMedia Online Services LLC, and all of their
 9 officers, agents, servants, employees and attorneys, and persons in active concert or participation
 10 with him who receive actual notice of this order are hereby enjoined from:

- 11 a. Initiating or procuring transmission of unsolicited commercial electronic
 12 messages ("spam") on or through Facebook's computers, Facebook's
 13 website, Facebook's networks, or to Facebook users;
- 14 b. Accessing or attempting to access Facebook's website, networks, data,
 15 information, user information, profiles, computers, or computer systems;
- 16 c. Soliciting, requesting, or taking any action to induce Facebook users to
 17 provide identifying information or representing that such solicitation,
 18 request, or action is being done with Facebook's authorization or approval;
- 19 d. Purchasing, using, distributing, trafficking in, or selling compromised
 20 Facebook user account information;
- 21 e. Accessing or procuring the access of the accounts of other Facebook users;
- 22 f. Retaining any copies, electronic or otherwise, of any Facebook
 23 information, including user login information or passwords, obtained
 24 through illegitimate or unlawful actions;
- 25 g. Engaging in any activity that alters, damages, deletes, destroys, disrupts,
 26 diminishes the quality of, interferes with the performance of, or impairs the
 27 functionality of Facebook's computers, computer system computer
 28 network, data, website, or services;

- 1 h. Engaging in any unlawful activities alleged in this action;
- 2 i. Entering or accessing the physical premises or facilities of Facebook or its
- 3 counsel; or
- 4 j. Engaging in any activity that violates, or encourages, induces or facilitates
- 5 violations of the Statement of Rights and Responsibilities, attached as
- 6 Exhibit A to the Complaint in this action.

7 2. This Stipulated Order and Permanent Injunction is final and may not be appealed
8 by either party.

9 DATED this 4th day of January, 2010.
10

11
12 **PERKINS COIE LLP**

RYAN SHIMEALL

13
14 By: s/ Brian Hennessey
15 Brian Hennessey

By: Ryan Shimeall
Ryan Shimeall

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17 Attorneys for Plaintiff
18 FACEBOOK, INC

19
20 **RYAN SHIMEALL**

21 By: Ryan Shimeall
22 Ryan Shimeall

23 For: iMedia Online Systems LLC
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PURSUANT TO STIPULATION, IT IS SO ORDERED.
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6 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter Judgment pursuant to this
7 Order.
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9 Dated: _____, 2010
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The Honorable Jeremy Fogel
United States District Judge

Approved as to form by:

PERKINS COIE LLP

By:/s/ Brian Hennessey
Brian Hennessey

Attorneys for Plaintiff
FACEBOOK, INC

CERTIFICATE OF SERVICE

I certify that on January 4, 2010, I sent the foregoing STIPULATED ORDER AND PERMANENT INJUNCTION , which was filed with the Clerk of the Court using the CM/ECF system, via U.S. mail and electronic mail to the following Defendants:

Jeremi Fisher
Choko Systems LLC
35 Jackson Street
Akron, New York 14001
chokosystems@gmail.com

Philip Poremsbki
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PP Web Services LLC
12155 Tributary Point Drive
Apt. 170
Rancho Cordova, California 95670
phil420@gmail.com

Ryan Shimeall
iMedia Online Services LLC
10299 Julian Court
Westminster, Colorado 80031
ryanlinx@yahoo.com

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 4th day of January 2010.


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